



**REPORT ON THE STATUS OF WOMEN IN BLOOMINGTON AND MONROE COUNTY
CITY OF BLOOMINGTON COMMISSION ON THE STATUS OF WOMEN**

VICTIMIZATION, RIGHTS AND JUSTICE

October 2006

Report on the Status of Women in Bloomington and Monroe County
Commission on the Status of Women
City of Bloomington Community and Family Resources Department



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FOREWORD

In the fall of 2001, members of the City of Bloomington Commission on the Status of Women (BCSW) pored over findings in *The Status of Women in Indiana*, a report produced by the Institute for Women's Policy Research to establish baseline measures of the status of women. Of the fifty states, and the District of Columbia, Indiana ranks 43rd for reproductive rights and 44th in employment and earnings. Women have nowhere near adequate political representation in elected office, and Indiana falls far below the national average of women with four years or more of college education. These data make it plain that despite the fact that women have made significant economic, political and social strides since the passage of women's suffrage, we're still far from achieving gender equality.

Since one of the objectives of the BCSW is to monitor federal, state and local policies for their impact on Bloomington women and to make recommendations for appropriate actions to assure women's equity, commissioners felt strongly that we should produce a report specific to the status of women in our community. Indeed, the status of individual women is impacted by their geographical location, their education, their age, race and sexual orientation. We hope our report informs local citizens about the progress of women in Bloomington, provides information about women's progress in achieving rights and opportunities, identifies and measures remaining barriers to equality, and helps us examine the nature of women's progress in Bloomington. The data is intended to provide important baseline indicators and help improve the ability of members of our community to more effectively address women's issues.

We were fortunate to have a good model for our work in the *Status of Women in Indiana* report, and support from Charlotte Zietlow, who chaired the Indiana Advisory Committee, Pete Giordano, director of the City of Bloomington's Community and Family Resources Department, and interested commission members and other talented volunteers. That said, the path to

producing this report was fraught with challenges. Local data about women's employment and educational attainment, and personal well-being proved difficult to unearth. We immediately experienced set-backs simply because data were not disaggregated by gender, or because there was no central data source. In other cases, for example with the local school district and the judicial system, we could not secure permission to access information.

Given the local data collection challenges, we turned to other public data sources. Staff from the City of Bloomington Community and Family Resources Department, namely Lee Bowlen with the able assistance of Seth Brooke, pulled data from the U.S. Census Bureau (2000) and other public information systems, and organized it for our needs. The source of most of the data contained in the reports we are releasing is a combination of Census data, national comparison data from the Institute for Women's Policy Research (IWPR) report, and locally gathered data.

We continue to be reminded of the need to examine and monitor the status of women. For example, wage gaps persist even as states implement equal pay acts for public sector employees, enact bills requiring pay equity studies, and in 2005, promote the Equal Pay Remedies and Enforcement Act. These efforts require data to document disparities and measure progress. Yet, in February 2005, the U.S. Bureau of Labor Statistics (BLS) proposed to eliminate gender as a reporting category in a revision of the 'Report on Employment, Payroll, and Hours' (BLS-790). Clearly, the collection of gender specific data is one way to monitor wage disparities and to help ensure that employers are accountable for gender discrimination in the workplace.

Encouragement to produce this report came from many sources, but I want to acknowledge the inspiration provided by countless non-profit women's advocacy groups including the IWPR, a public policy research organization dedicated to informing and stimulating the debate on public policy issues of importance to women; Middle Way House, whose mission is to end violence in the lives of women and children by implementing or sponsoring activities and programs aimed at achieving individual and social change; governmental organizations including our own City of Bloomington Community and Family Resources Department, which serves to identify the community's social needs and to help develop solutions to address these needs; and the City of

Bloomington Commission on the Status of Women. These groups work tirelessly to improve the conditions and quality of life for women in our community.

Readers of the Commission on the Status of Women's *Report on the Status of Women in Bloomington and Monroe County* are encouraged to study, question and use the information provided here to advance the status of women and enrich our community by dedicating ourselves to establishing gender equity.

Jillian Kinzie
Chair, City of Bloomington Commission on the Status of Women



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INTRODUCTION

Beginning in 2005, the City of Bloomington Commission on the Status of Women will release five topical reports on the status of women – Economics, Employment and the Workplace; Political Participation and Leadership; Education; Victimization, Rights and Justice; and Health and Well-Being. These reports will be produced as a series to make them easier to print and update on an ongoing basis. We strongly recommend that readers of our report also review *The Status of Women in Indiana* report and other projects conducted by the Institute for Women's Policy Research (see www.iwpr.org) to get a fuller understanding of the status of women in Indiana and on a national level. We provide an overview of the state information here to offer readers some information about the broader context in which our work is situated.

Data about the status of women needs to be viewed in the context of data about the status of all citizens of Indiana, particularly when it comes to educational attainment, earnings, public assistance programs and other economic criteria. The economic status of Indiana women is relatively poor, the majority of policy makers are male, and Indiana is a fiscally conservative state, which leads to low taxes and low funding of public assistance programs. Indiana has one first-class city, Indianapolis (population over 350,000 but under 500,000), and 16 second-class cities. Indiana is a fiscally conservative state with a distinctly blue-collar economy. Indiana is one of the lowest states in terms of personal tax burden – ranked fourteenth on a scale where first is lowest. It is the lowest state in spending for both state and local governments. Nevertheless, it is noteworthy that in recent years, both the Voucher Program and the Children's Health Insurance Program (CHIP) have received strong support from the state. Participation in public office has been difficult for women in Indiana, but there are some bright spots.

Indiana women ranked below the median on most of the composite indices calculated by IWPR. The overview of *The Status of Women in Indiana* yields the following information on key

indicators: of the fifty states and the District of Columbia, Indiana ranks 24th, just above the middle for health and well-being and for political participation, but falls to 36th in economic autonomy and 44th in employment and earnings. Indiana does not ensure equal rights for women. An evaluation of Indiana's women's status compared with goals set for women's ideal status earns Indiana the grades of C+ in health and well-being, C in political participation, C- in economic autonomy, D- in employment and earnings, and an F in reproductive rights.

Indiana is the 14th largest state in the country with about 5.9 million people living within its borders; about 3 million of them are women. At the time of this survey, Indiana's women were less diverse than women nationally with proportionally fewer immigrants.

Women in Indiana register and vote at rates that are near average for the country as a whole, but are disproportionately under-represented in elected office. Women in Indiana participate in the workforce slightly more but earn lower wages and work less. They earn lower wages and work as managers or professionals much less often than women in the nation as a whole. At 48th, women's earnings in relation to men's are also consistently lower than in most of the country.

Indiana illustrates many of the difficult obstacles still facing women in the U.S. Although women as a whole are seeing important changes in their lives that by now lead to equality with men, they still lack many of the legal guarantees that would allow them to achieve the same equality.

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VICTIMIZATION, RIGHTS AND JUSTICE

It is unfortunate that a report on the status of women anywhere has to include a section on the violence that is done to them because they are women. Domestic violence, rape and sexual assault, stalking and sexual harassment are, largely, crimes where we find women as victims and men as perpetrators. The roots of the phenomenon are deeply embedded in our culture, in our belief systems, our economy, and the gender composition of our decision-making bodies. These forms of violence affect victims' ability to function optimally as individuals, workers, parents and citizens, but they also act as suppressants on the potential of all women who find their orbits narrowed by the threat of such violence. Violence against women underlies other social problems including poverty, homelessness, youth crime, and substance abuse, and is among the causation factors for mental illness and other health concerns. Bloomington may be a community more free of gender-based bias and its manifestations than others in the state and country, but the data collected for this study do not suggest that violence against women and the local response to it are issues the community can ignore.

This report has been difficult to produce. Data collection was impeded by the responsible agencies' failure to respond to requests for information, their own lack of summary information, and an unwillingness or inability to allow others to collect and summarize data for them. A further problem is a lack of uniformity in the categories the various agencies use when they report crimes. Originally, this report was slated for release during Domestic Violence Awareness Month in October 2005; the release date was moved to April 2006 as one of several activities planned for Sexual Assault Awareness Month. When the Commission found itself, in the spring of 2006, still without responses to the queries it had forwarded on multiple occasions, the projected date of publication was changed once again. Finally, the decision was made to go forward with the information available as it was believed that the difficulty of data collection was, in itself, a matter worth reporting.

Publication of this report was delayed further in late October 2006 when deputy prosecutors attended a special meeting of the Commission to discuss a draft of this report and questioned both the accuracy of the data and the claim that the Prosecutor's Office had not responded to requests for information. Representatives from the Prosecutor's Office indicated that any data trail that had as its starting point the arrest sheets provided by the jail would have to be questioned as they were well known to contain inaccurate information, particularly with regard to charges of domestic violence. These reports were viewed as being so unreliable in terms of the accuracy of information that they are considered an "inside joke" in the Prosecutor's Office. The prosecutors maintained that cases were often presented as domestic violence cases on the arrest sheets but were, in actuality, bar fights. The representatives also insisted that their office had never received any of the Commission's requests for information about statistics on prosecution outcomes, and further explanation of procedures in adjudicating cases involving domestic violence, and specifically the number of victims of violence against women the Victims Assistance office served in the most recent one year period. With respect to the accuracy of arrest sheets, Commissioners took the prosecutors' complaint to jail personnel responsible for generating them. The jail spokesman explained the process, which involves copying information from the arresting officer's "remand form" onto a booking record, and, while admitting to the possibility of errors (as high as 10%), expressed the conviction that errors were most often a matter of false identifications provided to the arresting officer or errors in transposing numbers (dates of birth) rather than mistaking the charge. On the other point, Commissioners are satisfied that the requests for information were made. These requests were forwarded to the Prosecutor by a graduate student intern employed by the Commission and by the Legal Advocacy Office at Middle Way House, which agreed to help with data collection.

A final challenge to the data from the deputies was that any findings related to the disposition of domestic violence cases were spurious; particularly cases that were identified as "dropped" – meaning cases that were neither dismissed nor prosecuted – were most likely a consequence of the court reorganization that occurred while the data were being collected. The deputies suggested that researchers may have missed information on outcomes/final dispositions because cause numbers were changed when cases were assigned to different courts. Volunteer researchers already had noted difficulty in tracking offenders as, in some cases, a single

perpetrator was listed under several variations of his name (initials instead of a full first and second name, misspellings, the use or absence of “Jr.”, etc.). It is plausible that the cases that appear to be dropped are a reflection of the limitations of the Judicial Tracking System (JTS) database. However, the lead researcher, a PhD in History, reports,

“The data collected for this study was collected by name, rather than cause number. Duplicate occurrences of names were eliminated from the study. In many cases, the volunteers did not provide cause numbers – mainly in response to inconsistencies in the JTS system. If a case was moved from one court to another, the NAME of the perpetrator would appear twice (or more). In the case of a court transfer, the cases should not have disappeared – the name of the arrestee should have appeared two times, with two different cause numbers. The arrest date was then utilized to track cases – when arrest dates were the same or within a few months of one another, the records were considered to be duplicates. The record with less information was dropped; in some cases, the information from both records was combined. For example, the arrest information from one record could be merged with the court record (case outcome) from another record. While I agree there may be errors in the initial data study (mainly due to the paucity of relevant information and the serious flaws endemic to the JTS database), I do wish to reiterate that most of the “unknowns” were already eliminated from the initial study.”

The Commission considered re-writing the report to eliminate any presentation of the data, to stress, instead, the difficulty researchers encountered as they attempted to collect information about justice system outcomes. In the end, however, the Commission asked the lead researcher to return to the original data set and provide a summary that did not rely on any data that could be considered questionable. Upon receipt of this revised study, the Commission decided to go forward with a presentation of data from a smaller sample. In response to the deputies’ concerns, case study presentations have been removed from the report that follows. Additional data and case studies will be added when the deputy prosecutors have had time to confirm that all available data have been included. They estimate the work will take six weeks. Shortly after the

October special meeting, the deputy prosecutors provided some information, which is included in this report, on the disposition of cases filed for a three year period.

This report is organized around three main headings: the **incidence of violence against women** in our community; the **response to that violence**, including justice system outcomes and local resources for victims; and **prevention efforts**. These sections are preceded by a review of the field and statement of principles. We end with conclusions and recommendations.

REVIEW OF THE FIELD/STATEMENT OF PRINCIPLES

Based on a review of scholarly work, popular literature, and conversation with people who work in any capacity with victims of violence against women or the perpetrators of that violence, it would be fair to say that serious problems exist in almost every area of the country. While legislative responses to the violence, at the federal and state levels, have increased and, perhaps, been refined over the past two decades, intent and content differ enormously from state to state and the level of enforcement is similarly disparate from jurisdiction to jurisdiction within states. However, constant almost across the board at the local level are responses that are “fragmented, incident-based, cumbersome, slow, and that often place victims in adversarial relationships to their abusers.” (The Duluth Safety and Accountability Audit, 2000) Noteworthy exceptions are San Diego, California; Duluth, Minnesota; and Quincy, Massachusetts, where, informed by a general consensus that ending violence against women is a worthy community goal embraced by local political leadership, significant efforts have been made to integrate the work of intervening agencies and tighten up the response, both temporally and with respect to what violators can expect in the way of sanctions for their abusive behavior. The most effective local systems mete out swift and strict justice for battery offenses and violations of the conditions of “stay away” orders, react strongly to repeat offenders, are characterized by standardized and integrated practices, and have designated units at every level of the law enforcement/justice system. Treatment options in these communities are most often incorporated into the conditions of release.

Underlying the work on this report are three basic principles: the primacy of assuring victim safety throughout the justice and social service system, the expectation that offenders will be held accountable for their actions, and the need for transparency to provide citizen oversight of the community's response. In this report, we review the extent to which these principles are in place in Bloomington/Monroe County.

THE INCIDENCE OF VIOLENCE AGAINST WOMEN IN BLOOMINGTON/MONROE COUNTY

At the present time, there is no uniform procedure in effect for collecting data on the incidence of violent crimes against women in our city or county. While it is widely understood that only a fraction of victims of assault ever report to anyone (between 5% and 50% depending upon location and type of assault) and that any summary report will understate the incidence of violence against women in our community (and any community), there also is no way to determine duplications in the numbers reported. It is clear that advocacy groups and victim service providers receive more reports than police and even medical services. However, even among victim services providers, there is no mechanism in place for integrated data collection, and it is not entirely clear how large a pool of providers we have in our community.

In the 1990s, two mechanisms were initiated to bring justice system personnel from police departments, the prosecutor's office, the judiciary, and probation department together with victim service providers to collect data on the incidence of and response to violence against women in our community and to encourage an integrated approach to rape and sexual assault and domestic violence. Staff in Psychological Services at Indiana University's Student Health Center convened a group that met bi-annually to gather statistics on rape and sexual assault. The group consisted of representatives from law enforcement (Bloomington Police Department, Indiana University Police, Monroe County Sheriff's Department, Monroe County Prosecutor's Office), the Emergency Room at Bloomington Hospital and the IU Student Health Center, Middle Way House and Sexual Assault Crisis Services at IU, and a variety of other IU offices and services including the Office for Women's Affairs, residence halls, Student Ethics, and Student

Advocates. Each participating member of the group completed a uniform data sheet for each contact with a victim of rape or sexual assault and, through a process of comparison, duplications were eliminated and a, more or less, firm number of reported assaults was arrived at for a given year. The reported number did not include victims under the age of 14. For the three-year period during which these numbers were being collected, the range of incidents reported was 86 to 96.

In 1991, the Monroe County Domestic Violence Task Force settled into a schedule of monthly meetings from which it has not deviated. The purpose of the regular gatherings was twofold: to collect data on the incidence of domestic violence and track the disposition of cases so that an annual report could be issued to the community, and to develop a more uniform and integrated system for responding to the perpetrators of domestic violence and the needs of victims. As a consequence of the group's activities, two reports were published. These reports provided figures on the number of domestic violence calls received by local law enforcement and tracked the progress of these incidents through the system, noting what percentage of interventions resulted in arrest, how many arrests were forwarded to the prosecutor's office, how many charges resulted, and the final disposition of the cases charged. The reports, which were based on data from 1990 and 1992, were the result of close cooperation between elements of the justice system, in particular the prosecutor's office, and Middle Way House, which supplied a volunteer corps of researchers. Comparison of the two reports showed improvements over the two-year period in the percent of cases prosecuted. While these data were insufficient with respect to determining the incidence of violence against women in our community, as the participation of IUPD, Indiana State Police, and the Probation Department was inconsistent over the years and as other potential informants/ participants (Emergency Room personnel and other health practitioners and the clergy) were unrepresented, they did provide some basis for evaluating the justice system response to domestic violence in our community. At present, there is no effort in place to gather and analyze data of this kind, and the only entity reporting data to the Domestic Violence Task Force on a monthly basis is Middle Way House. The Prosecutor's Office has not reported data since 1995; the Bloomington Police Department has not reported since 2000. Additionally, the Bloomington Police Department has not sent a representative to the task Force Meetings for the past two years.

Other forms of violence against women and girls are scarcely tracked at all. Middle Way House and the Bloomington Human Rights Commission both take calls with respect to harassment, and Middle Way's Legal Advocacy Office works with victims of stalking. Since 2000, Middle Way House has responded to 783 calls from victims of harassment and stalking. Over the last year, the Bloomington Human Rights Commission has received four reports related to hate speech. The Office of Student Ethics on the Indiana University campus reported 40 cases of harassment of women on campus in 2005. These numbers are very low. The Directors of MWH and BHRC believe that women do not report these incidents, which for the BHRC includes hateful, gender-based graffiti, at anywhere near their occurrence for a variety of reasons including the sheer magnitude, and commonplace nature, of hate speech directed at women.

RESPONSES TO VIOLENCE AGAINST WOMEN IN BLOOMINGTON/MONROE COUNTY

Violence against women is a matter ideally addressed throughout the community. Domestic violence, rape and other forms of sexual assault, stalking and harassment all have legal definitions and are appropriately addressed through law enforcement and the criminal justice system. However, the law is but one possible intervention tool in a community's desire to rid itself of unacceptable behavior toward girls and women. In this section, we look at the Justice system and social services. Other important areas of inquiry would include the public schools, the healthcare system, and the faith community.

The Justice System

For this section, the Commission relied on data collected by volunteers, its own interns or advocates from Middle Way House. Initially, there were over 700 cases in the data set. That data set was replaced by a smaller one for this publication, which tracks 109 cases of domestic battery and ten cases of rape for the period January 2001-March 2005. Researchers also completed single year studies to look specifically at repeat offenders. These studies are reported below.

Volunteers referred to the JTS database at the Justice Building in Bloomington to determine the outcomes of arrests, and the data are presented with the caveat that the JTS is a flawed system.¹

The cases listed in this subset are limited to those where enough information was available on the alleged perpetrator to conclude with a fair amount of certainty that these were not “bar fights” filed / entered into the system incorrectly. Three types of information were used to support the determination that the arrests were for domestic battery, not battery: past or subsequent arrests or convictions for similar crimes or crimes frequently related to domestic violence (domestic battery, confinement, invasion of privacy, etc.), concurrent charges like confinement and invasion of privacy, and the existence of protective orders issued for a spouse. None of the cases included are duplicates (as a result of a court transfer). It is important to note that the starting point for tracking these cases is a domestic violence charge at arrest (on the remand form).

In summary, for the charge of Domestic Battery, there were 109 cases consistent with the above criteria. The outcomes are as follows:

Not in System:	64 cases (59% of the total) ²
Deferred:	8 cases (7% of the total) ³
Dismissed:	13 cases (12% of the total) ⁴
Prosecuted/Pled:	24 cases (22% of the total) ⁵

¹ The data collection sheets supporting these findings, as well as those from the original study, may be reviewed by requesting them through the Commission on the Status of Women.

² Not in the system: an arrest was made, a charge was filed at that time, but the case simply dropped out of the data tracking system (JTS).

³ Deferred: the perpetrator attends batterer treatment, drug or alcohol treatment, or anger management programs. These are technically prosecutions in which a guilty plea was entered. The record of the offense is wiped clean at completion of the conditions of deferment.

⁴ Dismissed: the Prosecutor makes a determination not to go forward with the case.

⁵ Prosecuted/Pled: these are all the cases where a guilty plea was entered or conviction achieved. In most cases, the initial charge was reduced to a lesser charge (ex. felony to misdemeanor). In the vast majority of cases, the outcome was probation and a fine or just one of these.

Equal care was taken with the following outcome report for ten⁷ charges of Rape. The outcome breaks down as follows:

Not in System:	4 cases (40% of the total)
Dismissed:	5 cases (50% of the total)
Prosecuted:	1 case (10% of the total)

Dropped (NIS) cases, in particular, pose some problems for researchers and evaluators. We do not know why there are so many cases that enter and then disappear from the system. Neither can we determine what effect these missing cases have on the integrity of diversionary programs. For example, with so many cases dropped from the system, the ability to identify, with confidence, a repeat offender and so determine that offender's eligibility for a deferred prosecution program is seriously compromised. One such program provides an opportunity for a "first-time" offender to plead guilty and enroll in a treatment program, the successful completion of which (regular but not perfect attendance) wipes the offender's record clean. In addition to the possibility that repeat offenders may be inappropriately enrolled in the first-time offenders' program as a consequence of their priors having been dropped, is another concern: how is any meaningful evaluation of the program possible when an offense committed post-treatment also might have a high probability of being dropped from the system? Dropped cases also pose a problem for full-measure utilization of legislative remedies: for example, in Indiana, a second-time domestic batterer could automatically have his charge elevated from a misdemeanor to a felony. In the absence of reliable information about priors or post-sentencing/post-treatment offenses, this charging option, and the meaningful sentence it might lead to, is rendered inoperative.

Data reported for the one-year studies of repeat offenders do not appear consistent with the numbers and outcomes reported above at least, in part, because the information below includes multiple offenses related to domestic violence and sexual assault – rather than only domestic battery and rape. Reviewing a subset of data covering offenses committed in a one-year period

⁷ Two additional cases set for pre-trial in 2003 seem to have disappeared from the system.

(2001-2), researchers found 24 re-offenders among 124 individuals charged with domestic battery, domestic battery resulting in serious bodily injury, and aggravated battery. Fifteen had their charges dismissed. Of the eight re-offenders who were prosecuted, seven were offered some form of deferred prosecution, and one was issued a no-contact order on a plea agreement.

The subset of data for 2001-2002 referred to above also included sex offenses. Of the 16 men charged with sex offenses in the one-year period, eight had committed sexual battery, sexual assault, and/or rape against women over the age of 18. Six of the perpetrators were re-offenders. For those six, two cases resulted in dismissal of the sex offenses. Four of the re-offenders were prosecuted for sex crimes, with a conviction rate of almost 70%. (There is no analysis to indicate if those prosecuted had assaulted minors or adults.)

A summary of the Uniform Crime Report (UCR), a report compiled annually at the local level, in this case by the Bloomington Police Department, provides arrest figures on a full range of offenses, from 1980-2004. The total number of rapes reported to the FBI, 2000-2004, was 138. In 2000, 31 rapes were reported; in 2001, there were 28 reports. A comparison of this data with that presented in the previous paragraph, culled from the JTS, demonstrates some obvious problems with data collection and prompts, as well, some questions about how our criminal justice system responds to reports of rape. In the previous paragraph, we are looking at all sex crimes perpetrated against children and adults. In this paragraph, we are looking only at rape. Nevertheless, the figure in the previous paragraph is considerably lower. The lower figure refers to the outcome of reports.

The “Clery Report” is a summary of incidents reported on college campuses. Indiana University reported the following: in 2003, six forcible rapes, 2 forcible fondlings; in 2004, 3 forcible rapes, one sexual assault with an object, and three forcible fondlings; and, in 2005, 14 forcible rapes, two forcible sodomies, and five forcible fondlings.

Reporting guidelines vary between the Clery Report and the FBI’s Uniform Crime Report (UCR). Like the UCR, the Clery does not distinguish between the various degrees of battery and domestic battery. However, both the UCR and the Clery Report demonstrate an increase in

reporting over the three-year period, and the Bloomington Police reports for the UCR indicate an increase in arrests for violent crimes for the same period; there is no concomitant increase in filings evident in the Annual Report of the Courts over the period.

This information, collected by the Commission, differs significantly from data the Prosecutor's Office provided to the Commission on October 26, 2006. These data on domestic violence cases filed and the disposition of these cases for a three year period, 2003-2005 are displayed below. The "Guilty Plea" category includes referrals to the domestic violence intervention system (DVIS), a treatment program, and negotiated plea agreements. The percentage of those that were dismissed or pending is also included.

Domestic Violence Cases Filed and Dispositions 2003-2005

	2003	2004	2005
Total Cases Filed	143	134	134
Guilty Plea	80% (12% DVIS)	80% (14% DVIS)	87% (13% DVIS)
Dismissed or Pending ^a	20%	20%	13%

a. A few 2005 cases are pending; only one 2004 case is pending; and there are no pending 2003 cases.

Although these data provide information about the number of domestic violence cases filed and how these cases were resolved, they reveal only a portion of the story about domestic violence in the justice system because they do not start with arrests made for domestic battery. To get a full picture of how domestic violence arrests are resolved, we need to know:

- How many arrests for domestic violence were made by Monroe County law enforcement during the period in question?
- How many arrests not originally charged as domestic violence were later charged as domestic violence by prosecution?
- How many arrests originally charged as domestic violence were filed as non-domestic violence offenses?
- How many arrests were not prosecuted due to lack of probable cause or lack of evidence?
- How many cases filed for prosecution were later dropped for cause (witness recanted, lack of evidence, etc.)?
- How many cases were pled out so that the domestic violence charge disappeared or was reduced from a felony to a misdemeanor?
- How many cases included a requirement for DVIS enrollment as part of probation?

We believe that the answers to these questions will provide a better understanding of the situation and allow us to make more informed statements about how well the justice system is doing with regard to the disposition of domestic violence cases. We look forward to working with the deputy prosecutors to secure more complete statistics.

In addition to the collection of hard data, research included interviews with key informants. Interviews with Middle Way House staff and long-time volunteer advocates yielded some interesting insights. Staff members were in agreement that police response to domestic violence, rape and sexual assault was much improved over a 20-year period. The group responded affirmatively to one staff member who stated: “In the mid- to late 80s, nine out of ten women who came to shelter complained about some aspect of the police intervention [compromised safety, disrespect or insensitivity]. Now, and for the last 10 years, not even one out of 10 complains.” However, advocates reported that victims complained fairly regularly that it was difficult to get responses from police officers after the initial contact, when a case was being investigated. A review of reports from Court Monitors (volunteers who sit in on hearings/trials involving violent crimes against women as well as pertinent civil case proceedings) since 1989, found that the climate in the courtroom with respect to how victims are treated has improved considerably, but that sentencing, in particular the time offenders are required to stay in jail, has remained stable over the years and is, in their opinion, too short.

Social Service/Legal Advocacy Response to Victims of Violence Against Women

A variety of social service and legal advocacy initiatives are provided to women and their children who are victims of violence against women:

Middle Way House provides services to victims of domestic violence, rape and sexual assault, stalking and harassment. Around-the-clock crisis intervention is provided over the phone and in-person at the scene in cooperation with Dispatch for the Bloomington Police/Monroe County Sheriff’s Department and the Emergency Room at Bloomington Hospital. Advocates also are available by phone 24/7 to support survivors throughout the healing process. In addition, the agency provides emergency shelter, transitional and permanent housing, case management and legal advocacy (including information regarding options within the civil and criminal court

system, assistance with *pro se* filing for Protective Orders and dissolutions, Orders to Assist, victim compensation claims and victim impact statements; referrals for representation; and accompaniment to case-related appointments), and a variety of programs designed to help women achieve residential stability, economic security, and greater self-determination. Annually, more than 100 Monroe County families are housed in the agency's service-rich shelter, another 35 families are provided with transitional housing, and an additional 700 are provided with non-residential services, including legal and personal advocacy, support groups for survivors, and employment opportunities. Services are provided free of charge.

Victim Assistance in the Prosecutor's Office works with victims of domestic violence and sexual assault. Two staff members, who work with victims of all crimes, notify victims of court dates, answer victims' questions about the criminal justice system, and accompany victims to court. They help victims with available compensation and victim impact statements. They refer victims to other services in the community, including Middle Way House, the Center for Behavioral Health, and the Protective Order Project. The Prosecutor's Office would not release information on numbers served. There is no fee for services.

Sexual Assault Crisis Services, located on the Indiana University campus, provides 24-hour crisis intervention and individual and group counseling to University students. Counselors also will assist survivors with medical and legal referrals, and provide support to friends and family of victims of sexual assault. Information on numbers served was not available. There is no fee for services.

Indiana Legal Services worked with 85 victims of domestic violence seeking assistance with dissolution and custody issues over the past twelve months (2005-06). The representation provided through ILS is free.

The Center for Behavioral Health provides counseling/group services to survivors of abuse on a sliding fee scale. The Center also operates a batterers' treatment program. This is not a victim service. It constitutes a part of the justice system response to domestic violence, figuring significantly in the deferred prosecution category (see the chart on pages 8, 11). It is expected

that the treatment also constitutes a prevention modality, although there is no data to support this expectation.

Family Service Association has no specific programs for women who have experienced abuse, but the Association provides counseling on a sliding fee scale. It also is providing supervised visitation, a service of particular importance to abused women whose batterers have been awarded visitation but who pose a threat to their ex-partners. There is a fee for this service.

The Children's Door is a monitored custody exchange program. There is no fee.

Prevention of Violence Against Women

Middle Way House presents a program titled *Building Healthy Relationships* in the three public high schools, including the alternative high school, and local private schools. BHR presents several times a year to mandated youth as well. Staff members make regular presentations throughout the community. In 2000, MWH gave 94 presentations on sexual assault and intimate partner violence.

Student groups at Indiana University such as Friends of Middle Way House, the Feminist Majority Leadership Alliance, Women's Student Association, and RAISE (Raising Awareness of Interactions in Sexual Encounters) work throughout the year to educate students about violence against women. During the 1999-2000 school year, RAISE gave 37 presentations on rape prevention.

Planned Parenthood provides services and works in the prevention arena as well. Planned Parenthood offers emergency contraception free of charge to rape victims. Its Education Department made one presentation on date rape to an IU fraternity, two presentations at campus dorms on date rape drugs, and provided two trainings for Peer Educators, who are able to talk about all areas of Planned Parenthood's operations.

CONCLUSIONS AND RECOMMENDATIONS

Over the past 20 years, there have been improvements with respect to how our community responds to violence against women. In particular, police procedure and the manner in which officers meet and speak with victims, especially in the immediate aftermath of an assault, has benefited from the training they receive, expectations of superiors, and cooperation and cross-training with victim service providers. Law enforcement officers are the only component of the justice system where annual training in domestic violence is required.

In addition, victim services are readily available and comprehensive, and prevention efforts have increased significantly. However, there is no inclusive network of service providers/interveners meeting and sharing information, a situation that contributes to efforts directed at victims and offenders being fragmented and incident-based.

There also are serious problems that must be addressed with respect to knowledge of the dispositions of cases and the community's ability to understand how its appointed and elected officials are doing in this arena. Rather than making progress with respect to data collection, we have gone backwards as a community. In the past, the late eighties/early nineties, relevant interveners across the law enforcement-social service spectrum gathered regularly to share information on the incidence of rape, sexual assault, and domestic violence. The inter-agency group addressing rape and sexual assault no longer meets and has not met for more than six years. The Monroe County Domestic Violence Task Force continues to meet monthly; however, data collection has stalled as law enforcement bodies, local police, sheriff and prosecutor no longer bring incidence reports and filing information to the meetings. It is worth noting that even a direct request from the City did not yield a report from the Bloomington Police Department, which maintains that it does not have the technology or the personnel to provide data which would enable a comparison of the number of domestic violence calls received, the number of arrests made, and the percent of cases forwarded to the Prosecutor.

In addition, there is a lack of transparency that precludes the ability of independent researchers to determine how cases involving violence against women are disposed in our county. The JTS is

unwieldy, faulty, and not necessarily available. (In the early-mid 90s, three computers were available for public use. For a time, only one computer was available. Since 2000, two computers have been available for public use.) Arrest sheets, the Annual Report of the Courts, and the Uniform Crime Report are insufficient to provide a clear picture of how the criminal justice system disposes of incidents of violence against women. Without the necessary transparency, the community cannot know what changes it needs to make to guarantee the safety of victims and hold perpetrators of violence against women accountable for their actions. The Commission supports swift implementation of more effective case management software to replace the JTS database.

Data collected for the Commission, which has been challenged by the Prosecutor, paints a picture with respect to dispositions that is, if correct, extremely worrisome. The data suggest that a majority of arrests made by local law enforcement do not result in filings. Of those arrests that are filed, at least 12%-20% (See pages 8, 11) are dismissed. The conclusion to be drawn from these figures is that more than half of all arrests for violent crimes against women go unprosecuted. In addition, the portion of prosecutions that result in guilt being assigned and maintained in a permanent file has the potential to compromise the integrity of the conditions established for deferred prosecutions and undercuts legislation designed to impose stricter sanctions on repeat offenders. In fact, the available data show that over a five year period, there was almost no difference in dispositions between first-time and repeat offenders, and in the year October 2000-October 2001, for which a more in-depth study was completed, repeat offenders were found to be twice as likely to have charges dismissed than prosecuted. Under the heading *Prosecutions* are a significant number of resolutions that could result in no record of the domestic violence offense being in evidence a year after a perpetrator has plead guilty or had his case deferred.

The Commission recommends that Bloomington/Monroe County commit itself to the goal of being a model in the nation for standardized and integrated policies and procedures that will (1) provide greater security for all women and abused women in particular; (2) hold offenders appropriately accountable for their actions; and (3) be transparent so that oversight is facilitated and necessary adjustments can be made. The Commission urges the Mayor to take an active role

in achieving this goal through his power to appoint Bloomington's Chief of Police and recommend expenditures for the BPD. The Commission further recommends that the City, through its Safe and Civil City program, assume responsibility for the Domestic Violence Task Force and, through its leadership, initiate a process for establishing a comprehensive and unified approach to addressing violence against women. The Commission recommends that the situation with respect to data collection be thoroughly investigated and remedies put in place that will allow the City, at the very least, to return to conditions that prevailed more than a decade ago that enabled the collection and presentation of data which demonstrated the relationship between calls for assistance related to domestic violence, arrests at the scene, subsequent arrests for those not at the scene at the time of intervention, and referrals to the prosecutor's office. While the Commission recognizes the limits of the Mayor's power over policies and practices at the County level, it urges the Mayor to use his influence to see that the work of local law enforcement is reflected in final dispositions of violent crimes against women. Finally, the Commission sees value in the model developed by the Domestic Violence Intervention Project in Duluth, MN and recommends that our community engage in a Safety and Accountability Audit.